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FAX COVER SHEET

From: Kevin T. Cuenot, Esquire

Date: June 30, 2003

PLEASE DELIVER 3 PAGE(S) (including cover sheet) TO:

6169-95

Name: Examiner A. Armstrong
Company: USPTO - Group Art 2654

Fax Number: 703-872-9314
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Comments/Special Instructions

RE: INFORMAL COMMUNICATION / NOT TO BE ENTERED INTO FILE

Applicant: Fado, *et al.*
Serial No.: 09/399,873
Date Filed: September 20, 1999
Examiner: A. Armstrong
Group: 2654
Entitled: PROCESS FOR IDENTIFYING EXCESS NOISE IN A COMPUTER SYSTEM

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June 30, 2003

Via Facsimile Transmission
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INFORMAL COMMUNICATION
Not to be entered into file

Examiner Angela A. Armstrong
U.S. Patent and Trademark Office
Washington, DC 20231

RE: Serial No.: 09/399,873
Applicant: Fado *et al.*
Date Filed: September 20, 1999
Entitled: PROCESS FOR IDENTIFYING EXCESS NOISE IN A
COMPUTER SYSTEM
Our Docket No. 6169-95

Dear Examiner Armstrong:

This is to confirm our teleconference scheduled for July 2, 2003 (this Wednesday) at 1:30 p.m. During the interview I would like to discuss U.S. Patent Application No. 6,324,499.

More particularly, in paragraph 2 of the Office Action, it was indicated that this reference was disqualified as prior art through 35 U.S.C. § 102(e), (f), and (g) in any rejection under 35 U.S.C. § 103(a). The Office Action also noted, however, that the reference additionally qualifies as prior art under another subsection of 35 U.S.C. § 102. Unfortunately, no subsection of 102 was specified in the Office Action.

On its face, the reference does not appear to fall under either § 102(a) or (b), and therefore, appears as though it should not be relied upon in support of the standing §

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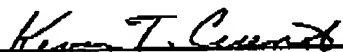
INFORMAL COMMUNICATION
Not To Be Entered Into File

103 rejection. Accordingly, I would like to discuss this reference and its classification under § 102.

Thank you for your consideration. Please do not hesitate to call if you have any questions.

Respectfully submitted,

Date: 6/30/03


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